

50334

Serial No. ....

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 7 1986

Returned to applicant for correction .....

Corrected application filed ..... Map filed NOV 7 1986

The applicant Kevin Paul

5285 Austin Hwy. of Fallon,  
Street and No. or P.O. Box No. City or Town

Nevada 89406 hereby make...s application for permission to change the  
State and Zip Code No.

Place of Use. of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee Carson Irrigation District  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

No. 726-1 United States of America v. Orr Water Ditch Co. in Equity  
identify right in Decree.)

No. A.3 Claim No. 3; United States of America v. Alpine Land &

Reservoir Co. D.C. No. D-183 BRT

1. The source of water is Truckee River & Carson River  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 3.60 acre feet  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for As Decreed  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for As Decreed  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Lahontan Dam, in the SW 1/4 of the  
Describe as being within a 40-acre subdivision of public survey and by course and  
of SE 1/4 Sec. 33, T.19N. R.26E. M.D.B.&M.  
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within No change  
If point of diversion is not changed, do not answer.

7. Proposed place of use 1.03 acres in the SW 1/4 of the NE 1/4, Sec. 36, T 19 N,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
R 29 E, MDB&M.

8. Existing place of use 1.03 acres in the SE 1/4 of SW 1/4, Sec. 33, T 19 N,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
R 29 E, MDB&M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from As Decreed to ..... of each year.  
Month and Day Month and Day

10. Use was permitted from As Decreed to ..... of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Dam, Canal and Ditches  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works Complete

13. Estimated time required to construct works Complete

14. Estimated time required to complete the application of water to beneficial use. 2 years

15. **Remarks:** For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be delivered to the proposed place of use via the  
 .....  
 (V line) canal.

Lowell D. Emery, RLS - SWRS  
By s/Lowell D. Emery-Agent  
P.O. Box 84  
Fallon, Nevada 89406

Compared. cc/ se pm/ se

Protested 12/26/87 by The Pyramid Lake Paiute Tribe of Indians,  
Pro. overruled 6/2/88, Protest Withdrawn 5/1/01  
Ruling No. 3528

APPROVAL.....OF STATE ENGINEER

**This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:**

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3528 dated June 2, 1988.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada by and through pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.60 acre ~~xxx~~ xxxxxxx cubic feet per second, as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before..... June 2, 1990

Proof of completion of work shall be filed before..... July 2, 1990

Application of water to beneficial use shall be made on or before..... June 2, 1992

Proof of the application of water to beneficial use shall be filed on or before..... July 2, 1992

Map in support of proof of beneficial use shall be filed on or before..... July 2, 1992

Completion of work filed FEB 26 1991 IN TESTIMONY WHEREOF, I, PETER G. MORROS,  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed.....  
my office, this 2nd day of June

**Cultural map filed.....**

**Certificate No.**.....**Issued**.....

A.D. 1988

**State Engineer**

See Supplemental Filing  
on Remand # 3778, 2/8/91